

TRULINCS 26500510 - OLIVO, NELSON - Unit: SCH-E-B

FROM: 26500510  
 TO:  
 SUBJECT:  
 DATE: 04/03/2025 06:39:17 PM

**MEMO ENDORSED**

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 DATE FILED: 4/21/2025

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK,

CASE NUMBER, S1 22 CR-00582-003

UNITED STATES OF AMERICA,  
PLAINTIFF,NELSON OLIVO,  
DEFENDANT,

MOTION FOR A SENTENCING REDUCTION PURSUANT TO THE NEW  
 AMENDMENT 821 18 USC 3582(c)(2) AND APPOINT COUNSEL  
 PURSUANT TO THE CJA 3006A ACT

BACKGROUND MR OLIVO WAS CONVICTED AND SENTENCED TO 14 YEARS IN UNITED STATES DISTRICT COURT  
 IN THE SOUTHERN DISTRICT OF NEW YORK FOR 21 USC 846 SEC 841 -851 ATTEMPT 21 USC 846, 21 USC 841,  
 (B) (1)(A) NARCOTICS CONSPIRACY CT1 MR NELSON OLIVO ASK THIS COURT TO GRANT THIS MOTION TO  
 THAT NEW AMENDMENT 821 AND 18 USC 3582(c)(2) AND APPOINT COUNSEL PURSUANT TO THE CJA 3006A ACT

[ARGUMENT]

Application DENIED. As the Court discussed at sentencing, *see* Tr., Dkt. 237, at 11-13, although Mr. Olivo has zero criminal history points, he was not entitled to the zero-point adjustment. Pursuant to U.S.S.G. § 4C.1(1), the zero-point adjustment does not apply if the Court applies a role adjustment pursuant to U.S.S.G. § 3B1.1(c). Here, the Court found that a role adjustment was appropriate, and hence Mr. Olivo was not entitled to any adjustment under Amendment 821.

The Clerk of the Court is respectfully directed to mail a copy of this order to Nelson Olivo, Reg. No. 26500-510, FCI Schuykill, Interstate 81 & 901 W, Minersville, PA 17954, and to note mailing on the docket.

SO ORDERED.


 4/21/2025

HON. VALERIE CAPRONI  
 UNITED STATES DISTRICT JUDGE

